

# KING & SPALDING

December 13, 2023

## VIA HAND DELIVERY

Hon. Renee Marie Bumb  
Chief Judge  
United States District Court for the District of New Jersey  
4th and Cooper Streets  
Camden, NJ 08101

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**Re: *State of New Jersey v. U.S. Dep't of Transportation et al.*, No. 2:23-cv-03885**

Dear Chief Judge Bumb:

I write on behalf of the State of New Jersey ("New Jersey") in response to the letter from New York State Senator Brad Holyman-Sigal requesting that Judge Martinotti recuse himself from this case and *Sokolich v. U.S. Department of Transportation et al.*, No. 2:23-cv-21728. This is an improper attempt by a New York politician to interfere with the orderly judicial process in New Jersey that has no basis in law or fact. Hence, this Court should have none of it and give it no further consideration.

As an initial matter, Senator Holyman-Sigal has misdirected this application to Your Honor instead of addressing it to the district court judge to whom these cases have been assigned. For that reason alone, his application should be denied. *In re Drumgo*, 599 F. App'x 51, 52 (3d Cir. 2015) ("Recusal motions are directed to a particular judge and thus should be filed in the case in which the matter is proceeding.").

Furthermore, Senator Holyman-Sigal blatantly ignores the stringent standards for recusal under 28 U.S.C. § 455. "[R]ecusal is not required on the basis of unsupported, irrational, or highly tenuous speculation." *In re Mazza*, 2023 WL 128934, at \*2 (3d Cir. Jan. 9, 2023) *citing In re United States*, 666 F.2d 690, 694 (1st Cir. 1981). Rather, under well-established Supreme Court precedent, a judge must display "deep-seated and unequivocal antagonism that would render fair judgment impossible." *Liteky v. United States*, 510 U.S. 540, 556 (1994) (emphasis added). Here, Senator Holyman-Sigal erroneously contends that Judge Martinotti's impartiality is questioned based on his wife's brief tenure as a Commissioner of the Port Authority of New York and New Jersey and her work with the administration. Letter at 1. Neither of these facts come close to the level of "deep-seated and unequivocal antagonism" that would render a fair judgment impossible in these cases.

For all of these reasons, New Jersey respectfully requests that Your Honor reject this improper and baseless recusal request.<sup>1</sup>

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<sup>1</sup> Senator Holyman-Sigal also takes a cheap shot at Judge Martinotti, bringing up past recusal situations that have nothing whatsoever to do with this case. It is unseemly enough that Senator Holyman-Sigal has made this application at all. That he then makes it such a personal, unwarranted attack is simply unconscionable.

Respectfully,

/s/ Randy M. Mastro

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Randy M. Mastro

cc: Hon. Brian R. Martinotti (Brian\_Martinotti@njd.uscourts.gov)  
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